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AN ACT

RELATING TO THE PUBLIC PEACE, HEALTH, SAFETY AND WELFARE;
PROVIDING AN EXCEPTION TO PORT-OF-ENTRY REQUIREMENTS FOR
VEHICLES TRANSPORTING AGRICULTURAL PRODUCTS.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

Section 1. Section 65-5-1 NMSA 1978 (being Laws 1943,
Chapter 125, Section 8, as amended) is amended to read:

"65-5-1. VEHICLES TO STOP AT PORTS OF ENTRY--
INFORMATION--INSPECTION.--

A. All commercial motor carrier vehicles, as
defined in the Motor Transportation Act, must enter, leave or
travel through the state on designated highways and shall
stop at every port of entry as designated by the division for
manifesting and clearance stickers, except as provided in
Subsection G of this section.

B. The operators of any motor vehicles described
in Subsection A of this section shall, upon request, make out
and deliver to the agent of the division a manifest showing
that part of the following information requested:

- (1) the name of the owner of the vehicle;
- (2) the name of the operator or driver;
- (3) the name of the forwarding or other
company in whose service the vehicle is licensed;
- (4) the license number;

1 (5) the state in which the vehicle has been
2 granted a common or contract motor carrier permit, if any,
3 and the number of the permit;

4 (6) the engine number;

5 (7) the serial number of the vehicle;

6 (8) a description of the vehicle;

7 (9) the point of origin of the shipment;

8 (10) the ultimate destination of the
9 shipment;

10 (11) the gross vehicle weight of the vehicle
11 and cargo;

12 (12) the factory list capacity or the actual
13 capacity if rebuilt;

14 (13) the number of taxable miles to be
15 traveled within the state; and

16 (14) the nature, amount and coverage of all
17 public liability and other insurance carried upon the vehicle
18 and upon the cargo thereon.

19 The operator of the vehicle shall declare upon the
20 manifest the name and number of the highways that the
21 operator intends to use within the state and the place where
22 the operator intends to leave the state if the point of final
23 destination is outside the state. The manifest shall be
24 signed by the operator and filed with the person in charge of
25 the port of entry. The operator of the vehicle shall present

1 for inspection to the person in charge of the port of entry a
2 copy of the billing or invoice describing the contents of the
3 cargo and the weight of the cargo.

4 C. The person in charge of the port of entry may
5 verify the information contained upon the billing or invoice
6 and shall check the license, permit, engine and serial
7 numbers, weight and description of the vehicle. The person
8 shall inspect the vehicle and ascertain whether it is in safe
9 and road-worthy condition, properly equipped with all lights,
10 brakes and other appliances required by any statute of this
11 state, in such condition as to be safe for operation upon the
12 public highways of this state.

13 D. The person in charge of the port of entry may
14 confirm the contents of the cargo and the weight thereof and
15 is authorized to interview operators to obtain information in
16 respect thereto and, if in doubt as to the declared gross
17 weight, may order the cargo weighed before issuing any
18 clearance certificate for the motor vehicle.

19 E. The person in charge of the port of entry may
20 inspect the contents of the vehicle to determine whether all
21 taxes on gasoline and motor fuel and excise taxes on
22 alcoholic liquors and all taxes on any other property have
23 been fully paid.

24 F. The person in charge of the port of entry may
25 inspect the vehicle and its contents to determine whether all

1 laws and all rules and regulations of the departments of this
2 state with respect to public safety, health, welfare and
3 comfort have been fully complied with.

4 G. An agricultural product transport vehicle is
5 excluded from the requirements of Subsection A of this
6 section if the agricultural product transport vehicle has
7 cleared the port of entry at least once and has successfully
8 passed a commercial vehicle safety alliance level 1
9 inspection during the current harvest season.

10 H. As used in this section, "agricultural product
11 transport vehicle" means a motor vehicle, freight trailer or
12 utility trailer or a combination thereof used exclusively for
13 hauling agricultural products harvested in the field."

14 Section 2. A new section of Chapter 66, Article 7 NMSA
15 1978 is enacted to read:

16 "MULTIPLE TRIP SPECIAL PERMIT ALLOWANCE--FEE--VEHICLES
17 USED TO TRANSPORT AGRICULTURAL PRODUCTS--LIMITATIONS.--

18 A. An agricultural product transport vehicle may
19 be issued a special permit for an annual fee of two hundred
20 fifty dollars (\$250) to transport loads for multiple trips
21 pursuant to Section 66-7-413 NMSA 1978. The area covered by
22 the special permit shall be specified on the permit.

23 B. The multiple trip special permits for
24 agricultural product transport vehicles may be issued for up
25 to five thousand pounds over the gross vehicle weight

1 pursuant to Section 66-7-410 NMSA 1978.

2 C. An agricultural product transport vehicle shall
3 not be operated on highways for which a more strict size or
4 weight limitation is required by federal law.

5 D. An agricultural product transport vehicle shall
6 not be operated on routes identified by the department as
7 having deficient bridge structures. The owner or operator of
8 the agricultural product transport vehicle shall obtain and
9 have in the owner's or operator's possession a copy of the
10 restrictions imposed by the state transportation commission
11 pursuant to Section 66-7-415 NMSA 1978 regarding the size and
12 weight of vehicles operated on a highway under the
13 jurisdiction of that commission.

14 E. As used in this section, "agricultural product
15 transport vehicle" means a motor vehicle, freight trailer or
16 utility trailer or a combination thereof used exclusively for
17 hauling agricultural products harvested in an agricultural
18 area that lies within New Mexico or within New Mexico and in
19 an adjacent state." _____

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